

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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T.H., by his parent and natural guardian
TIESHA SHEPHERD,

Plaintiff,

v.

CITY OF SYRACUSE; SERGEANT DENNIS
REGIN, in his individual and official capacities;
and OFFICER ANTHONY FIORINI, in his
individual and official capacities,

Defendants.
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DECLARATION

No. 5:17-cv-1081 (GTS/DEP)

T[REDACTED] H[REDACTED], also referred to as T.H. in this matter, pursuant to 28 U.S.C. § 1746, declares under penalty of perjury as follows:

1. I, T.H., am the infant plaintiff in this matter.
2. My mother, Tiesha Shepherd, is my parent and natural guardian.
3. I am a resident of Syracuse and reside at [REDACTED] Syracuse, NY 13206.
4. I was born on [REDACTED] 2002 and am 16 years old.
5. On September 26, 2017, I initiated a lawsuit, through my mother and natural guardian, Tiesha Shepherd, alleging that two Syracuse Police officers subjected me to excessive force on September 27, 2016.
6. Because of this incident, I sought recovery in this lawsuit for physical scarring and emotional distress.

7. I was treated by staff at Upstate University Hospital on September 27, 2016 and by my pediatrician, Dr. Mary Jo Dunbar, on September 28, 2016 for injuries sustained because of the officers' use of force.

8. Insurance covered all medical expenses.

9. Both my mother, Tiesha Shepherd, and I have reviewed the terms of settlement, which include that I will receive five-thousand dollars exactly (\$5,000).

10. Both my mother and I approve of this settlement.

11. On December 20, 2016, my mother and I retained the New York Civil Liberties Union by written retainer for services including the representation of me in filing a notice of claim pursuant to the New York General Municipal Law § 50-e for the incident that occurred on September 27, 2016. On September 27, 2017, my mother and I retained the New York Civil Liberties Union by written retainer to represent me in the matter of *T.H. v. City of Syracuse, et al.*

12. In accordance with the terms of the September 27, 2017 retainer, the New York Civil Liberties Union will not be collecting any fees or costs for the legal services rendered in this matter. The five thousand dollars (\$5,000) of settlement funds will be deposited in an interest bearing account within thirty (30) days of the complete execution of the agreement and delivery of a copy of a General Release.

13. Both my mother and I have reviewed this proposed distribution of settlement, and approve of it.

14. **WHEREFORE**, I respectfully request that the aforementioned proposals of settlement be approved, and that this Court grant an Order authorizing Tiesha Shepherd, my parent and natural guardian, to settle and compromise my claims in this matter.

Dated: Syracuse, New York

2-25, 2019

[REDACTED]